

First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

ENGROSSED

LLS NO. R09-1062.01 Amanda King

HJR09-1018

HOUSE SPONSORSHIP

Frangas,

SENATE SPONSORSHIP

Carroll M.,

House Committees

Senate Committees

HOUSE JOINT RESOLUTION 09-1018

101 CONCERNING CITIZENS' FREEDOM OF SPEECH RIGHTS.

1 WHEREAS, Throughout the year, citizens often contact their
2 legislators or encourage other members of the community to contact their
3 legislators concerning legislation that the General Assembly is
4 considering, and this contact may include posting blogs, sending emails,
5 or placing telephone calls; and

6 WHEREAS, There has been some concern from these individuals
7 that their activities may be considered lobbying; and

8 WHEREAS, As defined in section 24-6-301 (6), Colorado Revised
9 Statutes, a "professional lobbyist" is any individual who engages himself
10 or herself or is engaged by any other person for pay or for any
11 consideration for lobbying, but does not include any volunteer lobbyist,
12 any state official or employee acting in an official capacity, except as
13 provided in section 24-6-303.5, Colorado Revised Statutes, any elected
14 public official acting in an official capacity, or any individual who
15 appears as counsel or advisor in an adjudicatory proceeding; and

16 WHEREAS, Section 24-6-301 (7), Colorado Revised Statutes,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended Final Rdg.
May 5, 2009

1 defines a "volunteer lobbyist" as any individual who engages in lobbying
2 and whose only receipt of money or other thing of value consists of
3 nothing more than reimbursement for actual and reasonable expenses
4 incurred for personal needs, such as meals, travel, lodging, and parking,
5 while engaged in lobbying or for actual expenses incurred in informing
6 the organization making the reimbursement or the members thereof of his
7 or her lobbying; and

8

9 WHEREAS, There are several constitutional and statutory
10 requirements placed on professional and volunteer lobbyists; and

11 WHEREAS, The Rules of the General Assembly also contain
12 restrictions and requirements to which professional and volunteer
13 lobbyists must adhere; and

14 WHEREAS, Both the United States Constitution and the Colorado
15 Constitution contain provisions protecting an individual's freedom of
16 speech; and

17 WHEREAS, The right of an individual to express his or her
18 opinion about legislation does not give the individual the right to
19 disregard or violate the rules of decorum and standards of conduct of the
20 General Assembly; now, therefore,

21 *Be It Resolved by the House of Representatives of the Sixty-seventh*
22 *General Assembly of the State of Colorado, the Senate concurring herein:*

23 (1) That we, the members of the General Assembly, do not feel
24 that citizens should be subject to the restrictions and rules placed on
25 professional and volunteer lobbyists;

26 (2) That we invite members of the public to express their opinions
27 on legislation and to become active in the political process, while
28 following the Rules of the General Assembly and the laws of Colorado
29 and the United States; and

30 (3) That we declare that citizens should not feel that their freedom
31 of speech rights are in any way subject to the restrictions and rules placed
32 on professional and volunteer lobbyists.

33 *Be It Further Resolved,* That copies of this Joint Resolution be sent
34 to the American Civil Liberties Union of Colorado, Isabelle DeSilver, and
35 John Erhardt.